MEMORANDAM FOR: Deputy Director (Support)

SUBJECT

: Overtime Pay for Irregular and Unscheduled Duty

1. At the 24 December Staff Meeting you mentioned a question which had arisen concerning overtime payments for Contact Division/ 00 employees assigned as escorts to foreign groups traveling in the United States. It is understood that employees assigned to such duty may be required to perform substantial amounts of irregular overtime and night and holiday duty, under conditions where the employee can not control the smount of overtime he is required to perform. You asked that the Comptroller's Office advise you of the Agency policies pertaining to such overtime, in order that you may provide guidance to the Contact Division/00 in the esteblishment of equitable and workable controls on overtime performed under such circumstances.

	2. Agency policy pertaining	to	overtime	18	aet	forth	in
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which provide in part that:

- a. Overtime should be kept to a minimum consistent with work requirements, and should be authorized prior to performance.
- b. When an employee is required to work overtime he will be compensated or receive compensatory time off within the limitations provided by law.
- Employees in grade GS-11 or above will, to the maximum extent feasible, be granted compensatory time off in lieu of overtime pay.
- An employee who remains "on call" at his home or elsewhere is not entitled to overtime pay or compensatory time off for time spent in an "on call" status.

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- f. Each office should establish internal policies regarding the authorisation and control of overtime.
- g. Claims for overtime performed, for which advance authorization was not granted due to unusual operational situations, may be presented as prescribed in Para. 11 e. of

3. The equitable control of overtime performed in the field on an irregular and unscheduled basis has always presented a knotty administrative problem. The Office of Personnel, and DD/P components concerned are presently conducting a study to determine the feasibility of authorizing premium compensation pay up to 15% of base salary (as provided by USCA, Title V, Subchapter IV, Section 926(2)) for employees provided by USCA, Title V, Subchapter IV, Section 926(2)) for employees who perform irregular overtime on a continuing basis. However, this who perform irregular overtime on a continuing basis. However, this method of compensation has not yet been approved for use by the Agency.

- 4. It is suggested that the Contact Mivision/OC consider the adoption of the following type of internal practices, which have been used effectively by other Agency components in controlling overtime of an irregular character:
 - a. Adopt the "two-thirds rule", to provide a maximum of overtime which may be claimed for night or holiday duty.
 - b. Provide for granting compensatory time off instead of payment for overtime, to the maximum extent feasible.
 - c. When it is not possible to great compensatory time off for all overtime, suthorize a specific encunt of paid overtime, and require that any additional overtime be on the basis of compensatory time off.
 - d. Insure that time which may be properly defined as "on call" rather than "on duty" is not claimed as overtime.

E. R. SAUNDERS Comptroller

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